SHANE M. SAUNDERS

Tulsa, OK 74137

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October 21, 2008

Thomasenia Duncan, Esq. General Counsel Federal Election Commission 999 E Street, N.W. Washington, D.C. 20463

MUR# 602

Re: Complaint against Oliver for Congress and Georgianna Oliver

Dear Ms. Duncan:

This is a complaint ("the Complaint") pursuant to 2 U.S.C. §437g(a)(1) and 11 C.F.R. §111.4 against Oliver for Congress, the principal campaign committee of Georgianna Oliver ("Oliver Committee") and Georgianna Oliver, Democratic candidate for the U.S. House of Representatives from the First District of Oklahoma ("Oliver") (collectively hereafter "Respondents").

The facts below disclose Respondents' violation(s) of numerous provisions of the Federal Election Campaign Act of 1971, as amended (the "Act" or "FECA"), and regulations promulgated by the Federal Election Commission ("FEC Regulations"). These violations evidence a willful and continuing disregard by Respondents of federal campaign finance rules governing loans obtained and/or made by a candidate to his or her authorized campaign committee, and the proper reporting of those loans and other expenditures.

The Complaint is filed by Shane M. Saunders ("Complainant"), a resident of Tulsa, Oklahoma.

Violation #1: Respondent Oliver Committee has made prohibited loans to her authorized campaign committee and has failed to properly report the source of those loans in violation of the Act and FEC Regulations.

FEC regulations permit a candidate to make loans from the candidate's personal funds to her authorized committee. 11 CFR 110.10(a). Such loans are reportable by the candidate's committee. 2 U.S.C. 434(b)(2)(G) and (3)(E); 11 CFR 104.3(a)(3)(vii) and 104.3(a)(4)(iv).

A candidate's "personal funds" include amounts derived from assets that the candidate currently has legal title to or an equitable interest in, but only if the candidate also had a legal right of access to or control over the asset at the time she became a candidate. 11 CFR

100.33(a). A candidate's personal funds also include income derived from bona fide employment and income earned through stocks and other investments. 11 CFR 100.33(b).

If the candidate does not make the loan from personal funds as described above, the candidate may fund her campaign by obtaining a loan from a bank, but <u>only</u> if the loan meets all of the following criteria:

- The loan bears the bank's usual and customary interest rate for the type of loan involved;
- The loan is evidenced by a written instrument:
- The loan is subject to a due date or amortization schedule; and
- The loan is made on a basis which assures repayment. 11 CFR 100.82(a).

If a bank loan made to an authorized committee fails to meet any of the required criteria, the loan is considered a prohibited corporate contribution from the bank to the candidate.

Respondent Oliver has made prohibited loans to the Oliver Committee in violation of the Act and FEC Regulations. Recent newspaper articles indicate that loans made by Oliver to the Oliver Committee were neither made with personal funds, nor made by a bank as required by law, and are thus prohibited. See Exhibit A, Articles from the Tulsa World, dated October 16, 2008 and October 17, 2008.

For example, Respondent Oliver has admitted that a "aignificant part" of a \$260,000 loan that Oliver made to the Oliver Committee came from the sale of a business called Apt Budget, which was not listed on Oliver's financial disclosure statement filed with the U.S. House of Representatives in August. See Exhibit A. See also Exhibit B, Oliver Financial Disclosure Statement. As a candidate for U.S. House of Representatives, Oliver is required by law to list all assets on her financial disclosure statement. According to Oliver's financial disclosure statement, Oliver did not have any legal right or title to Apt Budget at the time of candidacy. See Exhibit B. Therefore, because Oliver made a loan to the Oliver Committee using funds from this asset, Oliver has impermissibly made at least one prohibited loan to the Oliver Committee using funds from assets that Oliver did not have any legal right or title to.

The Oliver Committee also failed to properly disclose the source of over \$415,000 in loans made by Oliver to the Oliver Committee. 11 CFR 104.3(a)(3)(vii) and 104.3(a)(4)(iv). On Schedule C of the Oliver Committee's Pre-General Report, filed on October 17, 2008 ("Pre-General Report"), the Oliver Committee willfully failed to properly report loans Respondent Oliver made to the Oliver Committee. See Exhibit C, Oliver Committee Pre-General Report, Schedule C. 11 CFR 104.3(a)(3)(vii). Because of the Oliver Committee's failure to properly report the source of the loans as required by the Act and FEC regulations, the general public is denied the right to know where money for the candidate's campaign has originated.

Respondent Oliver has utterly disregarded federal law by making loans from impermissible funds to the Oliver Committee, and by failing to properly report those loans on the Oliver Committee's Pre-General Report.

Violation #2. The Oliver Committee has failed to properly disclose the purpose of disbursements as required by federal law.

FEC Regulations require that authorized committees itemize all disbursements over \$200.00, and report the name and address of payees, the date and amount of the payments, and the <u>purpose</u> of the payments, or a brief description of why the disbursement was made. 11 CFR 104.3(b)(4)(i). While "dinner expenses", "media", and "polling" are all permissible statements of purpose, phrases such as "reimbursement" "get-out-the-vote", and "voter registration" do not meet the requirements of the FEC regulations. 11 CFR 104.3(b)(4)(iv)(A).

The Oliver Committee failed to comply with FEC regulations when reporting the purpose of disbursements on its Pre-General Report. See Exhibit D, Pre-General Report, Schedule B, Example of Improperly Reported Purpose. The Oliver Committee failed to identify the proper purpose of several disbursements, and attributed an incorrect purpose to other expenses.

Responsibility of Georgianna Oliver for Violations

Respondent Georgianna Oliver is the candidate whose authorized committee has willfully disregarded federal law governing loans made to her authorized committee and regulating the reporting and disclosure of the committee's expenditures. The purpose of the Act and FEC Regulations is to assure and protect the public's right to know the source of money spent to elect federal officials. None of the provisions of federal law at issue in this complaint are new, having been adopted as part of the Federal Election Campaign Act of 1971, as amended in 1974. Georgianna Oliver is ultimately responsible for the financial accuracy of disclosures made by the Oliver Committee and is complicit in the Oliver Committee's violations of federal law cited herein.

Conclusions

Respondents, each of them, have violated the provisions of the Act and FEC regulations and should be punished in accordance with 2 U.S.C. §§437g(a)(5), (6) and 11 C.F.R. §111.24 for their ongoing violations of the Act and FEC regulations.

AFFIDAVIT

I hereby swear upon penalty of perjury that the above and foregoing Complaint is true and correct to the best of my knowledge and belief, based upon the information from the public sources referenced herein.

Shane M. Saunders

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2154 day of October, 2008. Sworn and subscribed before me this

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Slowing economy affecting bidders



Suspect due trial in child

Oliver's firm helping finance bid



LOCAL



It's getting a bit ugly everywhere

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NATIONAL ARABIAN HORSE SHOW

No dusty cowboys here



Congressional hopeful clarifies finances





TULSA WORLD STREET @ Return to Story



Congressional hopeful clarifles finances

by: JIM MYERS World Washington Bureau 10/17/2008 12:00 AM

Oliver also reveals that she has made another loan to her campaign.

WASHINGTON — Democratic congressional nominee Georgianne Oliver of Tules said Thursday that the money she personally loaned her 1st District campaign came from a number of sources.

Oliver said those included her salary as sole owner of EverGreen Solutions, cash in the form of distributions from that consulting firm, tax refunds and an individual retirement account.

She said her campaign incorrectly explained Wednesday that the money for her personal loans had come solely from the firm.

In offering that clarification, Oliver also revealed that she has made another loan to the campaign, bringing the total amount of nine transactions to \$415,540.

She also addressed the sale of a second company, Apt Budget, of which she was president.

In August, when she filed her financial disclosure form with the U.S. House of Representatives, Oliver listed her position with Apt Budget but did not describe the firm as an asset or put a value on it.

One month later, she said, the software firm was sold to a Texas company for \$400,000.

A large part of the proceeds from that sale were deposited with Ever- Green, which held Apt Budget's debt.

Oliver initially indicated that funds from that sale, which she could draw from Ever- Green as sole owner, were a significant part of a \$250,000 loan she made to her campaign several days later, but in a second conversation, she said that was not correct.

She conceded, however, that the sale of Apt Budget helped her to take a cash distribution from EverGreen.

When pressed on why Apt Budget was not listed as an asset in her financial disclosure form one month before it was sold for \$400,000, Oliver said the company had no value in August.

"The software we were developing was never finished," she said, citing the debt that was owed to EverGreen. "I had hoped to sell it for millions."

Oliver said she also owns investments in real estate that are not listed as assets on her financial disclosure form but allow her to take passive losses on her tax returns.

Her financial disclosure form listed as assets EverGreen, which she valued at between \$1 million and \$5 million, and three individual retirement accounts, valued at between \$1,000 and \$15,000 each.

House rules require the reporting of assets and liabilities with such broad ranges.

Oliver also listed a salary from EverGreen of \$423,914 last year.

Jim Myers (202) 484-1414 Jm.myers@tulesworld.com

Associate Images:



LOANS
Georgianna Oliver: She said her campaign incorrectly said the money for

her personal loans came only from the firm.

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Malling Address	Occupation		
City State ZIP Code	Amount Gueranteed Outstanding:		
Full Name (Last, First, Middle Initial)	Name of Employer		
Melling Address	Occupation		
City State ZIP Code	Amount Guaranteed Outstanding:		
Full Name (Last, First, Middle Initial)	Name of Employer		
Muling Address	Cocupation		
City State ZIP Code	Amount Gueranteed Outstanding:		
Full Name (Last, First, Middle Initial)	Name of Employer		
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City State ZIP Code	Amount Guaranteed Outstanding:		
	<u> </u>	2100.00	
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TOTALS This Period (last page in this line only)			
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CHEDULE C (FEC Form 3)	HEDULE C (FEC Form 3)		PAGE 30/32	
DANS		Use expense schedule(s) for each category of the Detailed Summary Page	FOR LINE NUMBER: (check only one) X 13a	
AME OF COMMITTEE (In Full) Niver for Congress				
			tion ID: SC/10.4844	
LOAN SOURCE Full Name (Last, Fire Georgianna W Oliver	t, Middle Initial)		ection: Primary	
Meiling Address 1244 E. 28th St.			General Other (apacity)	
City Tules	State OK ZIP Co	rda 74114		
Original Amount of Loan	Cumulative Payment To		Outstanding at Close of This Period	
50000.00	•	0.00	50000.00	
TERMS Date Incurred	Date Due	Interest Rate	Secured:	
10 15 2008	12/15/2008	0.0000	% (apr) Yes X N	
List All Endorsers or Guerantors (V eng)	to Lauri Source			
Full Name (Last, First, Middle Initial		Name of Employer		
Mailing Address		Occupation		
City	Itale ZIP Code	Amount Guaranteed Outstanding:		
Full Name (Last, First, Middle Initial		Name of Employer		
Malling Address		Occupation		
City	Itale ZIP Code	Amount Gueranteed Outstanding:		
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Maling Address		Occupation		
City	itale ZIP Code	Amount Guaranteed		
Full Name (Last, First, Middle Initial)	Outstanding: Name of Employer		
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		Amount		
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EXHIBIT "D"

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SCHEDULE B (FEC Form 3 ITEMIZED DISBURSEMENT Any information capied from such Reports	fS for each category of the Detailed Summary Page	(check on	X 17
or for commercial purposes, other than using NAME OF COMMITTEE (in Full) Oliver for Congress	g the name and address of any political	committee to so	ficit contributions from such committee
Full Name (Last, First, Middle Initial) Debre Cherny-Celn			Transaction ID: SB17.4846 Date of Disbursement
Mailing Address 1283 E 29th Pl			10"' 13' 2008
City Tuice	State Zip Code OK 74114		Amount of Each Disbursement this Period
Purpose of Disbursement Salary & reimbursements Candidate Name		001 Catagory/ Type	6250.00 Refund or Disposel of Excess Contributions Required Under 11 C.F.R. 400.83
Office Sought: House Senate President Statu: District:	Diebursement For: 2008 Primery X General Other (specify)		
Pull Name (Last, First, Middle Initial) D&D Signs		<u>.</u>	Transaction ID: 8817.4850 Date of Disturgment
Malling Address 202 S Broadwa			10" ' "15 ' Žoča"
City Coweta	State Zp Code OK 74429		Amount of Each Disbursement this Period
Purpose of Disbursement Cempaign Signs Candidate Name		004 Category/ Type	550.00 Return or Disposal of Exces Contributions Required Under 11 C.F.R. 400.83
Office Saught: House Senate President State: District:	Disbursement For: 2008 Primary X General Other (specify) ▼		
Full Name (Last, First, Middle Initial) Don Hoover & Associates			Transaction ID: SB17.4771 Date of Disbursement
Maling Address 1532 NW 143rd	I &L.		10" ' "06 ' ` 2008
City Oldahoma City	State Zip Code OK 73013		Amount of Each Disbursement this Period
Purpose of Disbursement Survey & Consulting Fees Candidate Name		QOS Calegory/ Type	4500.00 Refund or Disposal of Excess Contributions Required Under 11 C.F.R. 400.58
Office Sought: House Sensie President State: District:	Disbursement For: 2008 Primary X General Other (specify)		
SUBTOTAL of Disbursements This Page) (aptional)		11300.00
TOTAL. This Period (last page this line m	imber chij))	SA Schedul R. Francis L. Charles Co.

m# 20003020042			
CHEDULE B (FEC Form 3) EMIZED DISBURSEMENTS	Use separate schedule(s) for each category of the Detailed Summary Page	(check only	NUMBER: PAGE 18/32 y one) X 17 18 18a 19b 20a 20b 20c 21
by information capied from such Reports and Sta for commercial purposes, other than using the r NAME OF COMMITTEE (in Full) Oliver for Congress	dements may not be sold or used arms and address of any political	by any person i committee to so	for the purpose of soliciting contributions
Full Name (Last, First, Middle Initial) DPT Productions, Inc			Treneaction ID: SB17.4845 Date of Disbursement
Maling Address 720 W Wilshire, #112			10" / "13 / Y 2008"
City Oldehoma City	State Zp Code OK 73116		Amount of Each Disbursement this Perior
Purpose of Disbursement TV Ads Candidate Name		004 Calegory/ Type	5000.00 Refund or Disposel of Excess Contributions Required Under 11 C.F.R. 400.83
Office Sought: House Sensie President State: District:	ureament For: 2008 Primary X General Other (specify) \(\psi\)		
Full Name (Last, First, Middle Initial) Sheryl A. Lovelady			Transaction ID: SB17.4774 Date of Disbursement
Melling Address PO Box 3661			10 03 2008
City Tulea	State Zip Code OK 74101-3661		Amount of Each Disbursement this Perio
Purpose of Disbursament Reinbursements Candidate Name		001 Catagory/ Type	840.00 Refund or Disposal of Excess Contributions Required Under 11 C.F.R. 400.53
Office Sought: House Sensie President State: District:	uraement For: 2008 Primary X General Other (specify)		
Full Name (Last, First, Middle Initial) Sharron M Pettiford			Transaction ID: 8B17.4775 Date of Distursement
Melling Address 7443 S. Yale, #236			io" ' °oš ' žočs'
City Tules	State Zip Code OK 74136		Amount of Each Diebursement this Perio
Purpose of Disbursement Salary Candidate Name		001 Calegory/ Type	1250.00 Refund or Disposel of Excess Contributions Required Under 11 C.F.R. 400.53
Office Sought: House Senate President State: District:	ureement For: 2008 Primary X General Other (specify) \(\psi\)	• ***	
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Control of Discussion Category Type	Tulsa	State Zip Code OK 74103		Amount of Each Disbursement this Period
Centrolidate Name Office Sought: House Benete Privately Acquired 11 C.F.R. 400.89 Disbursement For: 2008 Privately X General Officer (specify) ▼ Transcation ID: 3817.4777 Date of Disbursement ID: 378.00 Tubes. OK 74103 Purpose of Disbursement Bits Period Category' Type Office Sought: House Disbursement For: 2008 Privately X General Officer (specify) ▼ Disbursement ID: 3817.4777 Date of Disbursement Bits Period Category' Type Office Sought: House Disbursement For: 2008 Privately X General Officer (specify) ▼ City Tubes. President Officer (specify) ▼ City Tubes. President Officer (specify) ▼ City Tubes. OK 74103 Purpose of Disbursement Bits Period Category' Type Office Sought: House OK 74103 Purpose of Disbursement This Period Category' Type City Tubes. OK 74103 Purpose of Disbursement OK 2000 OK 74103 Officer (specify) ▼ Disbursement OK 2000 OK 74103 Purpose of Disbursement OK 2000 OK 74103 Purpose o				J
Office Sought: House Benate Primary X General Citier (specify) Full Name (Last, First, Middle Initial) Postmaster Iduling Address 4(h & Deriver City Cate OK 74103 City Cate OK 74103			Category/	Contributions Required Under
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Candidate Name Candidate Name Candidate Name Candidate Name Candidate Name Contributions Required Under 11 C.F.R. 400.88 Transaction ID: \$817,4778 Date of Disbursement Melling Address 4th & Deriver City State Zip Code OK 74103 Purpose of Disbursement States OK 74103 Purpose of Disbursement States Disbursement Fer: 2008 Benatin President Other (apsolly) ▼ State: District: Citics Sought: House Benatin Other (apsolly) ▼ State: District: State: District: Candidate Name Contributions Required Under 11 C.F.R. 400.83 Contributions Required Under 12 Code OK 74103 Amount of Each Disbursement this Performance Contributions Required Under 11 C.F.R. 400.83	Tulea			i
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Postmaster Mailing Address 4(th & Deriver City State Zip Code OK 74103 Purpose of Disbursement Stamps Candidate Name Office Sought: House Benste Primary X General Other (specify) ▼ State: District: Date of Disbursement 1 0 0 7 2 0 0 8 Amount of Each Disbursement this Perior 420,00 Refund or Dispussed Under 11 G.F.P. 400.83	Senate President	Primary X General		
City State Zip Code Tules OK 74103 Purpose of Disbursement Stamps Candidate Name Office Sought: House Senate Primary X General President Disbursements This Page (optional)				Transaction ID: 8817.4778 Date of Disburgament
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Candidate Name Category/ Type Office Sought: House Benate President Other (specify) ▼ State: District: Category/ Type Contributions Required Under 11 C.F.R. 400.53 Contributions Required Under 11 C.F.R. 400.53	*			
Office Sought: House Benate Primary X General President Other (specify) State: District: SUSTOTAL of Disbursements This Page (optional)			Calegory/	Contributions Recuired Under
SUSTOTAL of Disbursements This Page (options)	Senate President	Primary X General		
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	Zip Code 74103		Date of Disburseme	nt
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	Zip Code 74103			
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SCHEDULE B (FEC Form 3) ITEMZED DISBURSEMENTS		FOR LINE (check only		21/32	
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NAME OF COMMITTEE (In Full) Oliver for Congress					
Full Name (Last, First, Middle Initial) Rollin's Communications			Transaction ID: SB17.477 Date of Dieburnement	•	
Mailing Address 3136 E. 42nd Str	NC .		10"' 03' 2	008	
City Tutes	State Zip Code OK 74105		Amount of Each Disbursemen		
Purpose of Disbursement TV Ads	004		Refund or Disposel of Exc	37600.00 of Excess	
Candidate Name		Category/ Type	Contributions Required Under 11 C.F.R. 400.63		
Office Sought: House Senate President State: District:	Disbursement For: 2008 Primary X General Other (specify) \(\nabla\)				
Full Name (Last, First, Middle Initial) Taste Catering			Transaction ID: \$817.478 Date of Disbursement	D1	
Mailing Address 1325 E 15th St	···		10" ' 09 ' ' i	e o o a '	
City Tules	State Zip Code OK 74120		Amount of Each Disbursame		
Purpose of Diabursement Casring for Fundraleer		003	Refund or Disposal of Exc	790.53 ****	
Cendidate Name		Category/ Type	Contributions Required Un 11 C.F.R. 400.53	nder	
Office Sought: House Senate President	Disbursement For: 2008 Primary X General Other (specify) \(\psi\)				

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TOTAL This Period (fast page this line number only)	69310.74
SUSTOTAL of Disbursements This Page (options)	40390.53